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Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

MAR 02 2023

UNITED STATES DISTRICT COURT

CLERK, U.S. DISTRICT COURT
ANCHORAGE, AK

for the

District of AlaskaCIV Division

Case No.

3:23-cv-00048-SLG

(to be filled in by the Clerk's Office)

Doris E. Larson

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

State of Alaska
Terrence Haas
Nethanie Hainje
Thomas Howell

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Daris Eric Larson
 All other names by which
 you have been known:
 ID Number 6834155
 Current Institution Anchorage Correctional Complex East
 Address 1400 W. 4th Ave
Anchorage Alaska 99501
City State Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name Terrence Haas
 Job or Title (*if known*) Judge
 Shield Number
 Employer State of Alaska Bethel Court System
 Address 204 Chief Hoffman Hwy / P.O. Box 130
Bethel Alaska 99559
City State Zip Code
☐ Individual capacity ☒ Official capacity

Defendant No. 2

Name Nethaniel Hainje
 Job or Title (*if known*) Attorney
 Shield Number
 Employer AK BAR ASSN.
 Address P.O. Box 10
Bethel Alaska 99559
City State Zip Code
☐ Individual capacity ☒ Official capacity

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Defendant No. 3

Name

Thomas Powell

Job or Title (if known)

Alaska State Trooper (TWOP)

Shield Number

Employer

Alaska State Troopers

Address

3200 Chief Hoffman Hwy / P.O. Box 268
Bethel Alaska 99559

City

State

Zip Code

☐

Individual capacity

☒

Official capacity

Defendant No. 4

Name

Job or Title (if known)

Shield Number

Employer

Address

City

State

Zip Code

☐

Individual capacity

☐

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐Federal officials (a *Bivens* claim)☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

U.S. Const. Amend. V; Amend VI; Amend VIII; Amend XIV
Code of Judicial Conduct Canon 1, 2, 3, 4, and 5
SEC 11.81.440; SEC 12.45.042; SEC 12.45.087-115; SEC 12.45.130
Article I sec 8 and 9; Article III sec 2; Article IV sec 1 and 2; Amend XX
sec 6

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☒ Other (explain) Convicted and Unsentedenced State prisoner

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.
On 3/16/21 in Nampitahuk, AK and Bethel, AK
Between 3/16/21 and 11/2022 court records for case #
4BE-21-00248 CR
- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.
At Yukon Kuskokwim Correctional Center and Spring
Creek Correctional Center Between 3/16/21 and
11/2022

- C. What date and approximate time did the events giving rise to your claim(s) occur?
3/16/21 - 11/2022 Court records with Bethel Court System, and police reports for TWO P Powell of Alaska State Troopers.
- D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)
See 10 page statement included with packet

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Mental anguish, distress injury, Neglected,
Ruined trust in the legal system.

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I, Daris Larson am requesting the State of Alaska to pay money damages in the amount of \$150,000,000.00 one-hundred and fifty million dollars for causing me to suffer mental anguish, violating my U.S Constitutional Rights, and causing me and my family distress injury.

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Yukon Kuskokwim Correctional Center
Spring Creek Correctional Center

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☐ Yes

☐ No

☒ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ Yes

☐ No

☐ Do not know

If yes, which claim(s)?

Claims of Judge Haas violating my U.S. Constitutional Rights, Nathaniel Hainje committing Fraudulent acts, and TWOP Thomas Powell abusing his authority by using intimidating tactics.

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☒ Yes

☐ No

- E. If you did file a grievance:

1. Where did you file the grievance?

Yukon Kuskokwim Correctional Center
Anchorage Correctional Complex East

2. What did you claim in your grievance?

That my U.S. Constitutional Rights were violated
and that the Code of Professional Conduct was
violated.

3. What was the result, if any?

I have yet to receive results

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

For Judge Haas I filed a complaint to the Alaska
Commission on Judicial Conduct, for Nathaniel Hamje
Alaska BAR Association, and Trooper Powell, Alaska
Police Standards Council, and AK Dept. of Public Safety

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The “three strikes rule” bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has “on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this “three strikes rule”?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

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- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s)

Defendant(s)

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition.

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

I have a case # 3:23-cv-00030 SLG for medical malpractice

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☒ Yes☐ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) Daris E. Larsen

Defendant(s) Ryan Kwon, Demetrius Kargas

2. Court *(if federal court, name the district; if state court, name the county and State)*

U.S. District Court District of Alaska

3. Docket or index number

3:23-cv-00030 SLG

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

2/10/2023

6. Is the case still pending?

☒ Yes☐ No

If no, give the approximate date of disposition

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

2/21/2023

Signature of Plaintiff

Doris E. Larson

Printed Name of Plaintiff

Doris E. Larson

Prison Identification #

683455 OB# 484578

Prison Address

1400 W. 4th Ave

Anchorage, Alaska

City

State

99501

Zip Code

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

DARIS LARSON 981070
Anchorage Correctional Complex East
1400 W. 4th Ave
Anchorage, AK 99501



9171 9690 0935 0294 4968 52



LEGAL & CONFIDENTIAL



LW

2/27

THIS LETTER WAS
WRITTEN BY
AN INMATE AT AN ALASKA JAIL
PLEASE DO NOT SEND CASH IN
THE MAIL

United States District Court
of the State of Alaska
222 West 7th Ave.
Anchorage, AK 99513

THIS LETTER WAS
WRITTEN BY
AN INMATE AT AN ALASKA JAIL
PLEASE DO NOT SEND CASH IN
THE MAIL

LEGAL & CONFIDENTIAL

